

APPEAL NO. 171514
FILED AUGUST 9, 2017

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on May 8, 2017, in (city), Texas, with (hearing officer) presiding as hearing officer. The hearing officer resolved the disputed issues by deciding that the appellant's (claimant) compensable (date of injury), injury does not extend to L3-4, L4-5, or L5-S1 bulges/protrusions or central canal stenosis. The claimant appealed, disputing the hearing officer's extent-of-injury determination. The claimant argues that objective medical evidence supports a determination that the compensable injury extends to the disputed conditions. The respondent (self-insured) responded, urging affirmance of the disputed extent-of-injury determination.

DECISION

Reversed and remanded for reconstruction of the record.

Section 410.203(a)(1) requires the Appeals Panel to consider the record developed at the CCH. No audio recording of the CCH is available for review. The file does not contain a transcript or an audio recording of the proceeding. Consequently, we reverse and remand this case to the hearing officer who presided over the May 8, 2017, CCH, if possible, for reconstruction of the CCH record. See Appeals Panel Decision (APD) 060353, decided April 12, 2006.

Pending resolution of the remand, a final decision has not been made in this case. However, since reversal and remand necessitate the issuance of a new decision and order by the hearing officer, a party who wishes to appeal from such new decision must file a request for review not later than 15 days after the date on which such new decision is received from the Texas Department of Insurance, Division of Workers' Compensation, pursuant to Section 410.202 which was amended June 17, 2001, to exclude Saturdays and Sundays and holidays listed in Section 662.003 of the Texas Government Code in the computation of the 15-day appeal and response periods. See APD 060721, decided June 12, 2006.

The true corporate name of the insurance carrier is **CITY OF HOUSTON (a self-insured governmental entity)** and the name and address of its registered agent for service of process is

**ANNA RUSSELL-CITY SECRETARY
900 BAGBY
HOUSTON, TEXAS 77002.**

Margaret L. Turner
Appeals Judge

CONCUR:

K. Eugene Kraft
Appeals Judge

Carisa Space-Beam
Appeals Judge